

# EXHIBIT 1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Harald Bottner et al.

Application No.: 10/789,423

Confirmation No.: 5684

Filed: February 27, 2004

Art Unit: 2826

For: SOLDER, MICROELECTROMECHANICAL  
COMPONENT AND DEVICE, AND A  
PROCESS FOR PRODUCING A  
COMPONENT OR DEVICE

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Examiner: B. P. Sandvik

**DECLARATION OF DR. FELIX GROSS UNDER 37 C.F.R. SEC. 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Dr. Felix Gross, do hereby declare and state as follows:

1. I reside in Berlin, Germany.
2. I am a German patent attorney hired by the assignee, Infineon Technologies AG, of the above-identified U.S. patent application (the “423 application”), which was filed on February 27, 2004.
3. I have reviewed and understand the ‘423 application, including the currently pending claims, including any and all amendments (the “Claimed Invention”).

4. An Invention Report describing the Claimed Invention and dated June 26, 2002, was prepared by the inventors Harald Böttner, Martin Jägle and Axel Schubert. (Exhibit A, attached hereto, including an English translation.) From the first page it can be seen that the Invention Report was received by the IP professional of Infineon Technologies AG on July 5, 2002. The Invention Report was then forwarded to Dr. Langenwaller, who received it on July 11, 2002.

5. On the bottom of the first page of the Invention Report where Dr. Langenwaller stamped his name, the name "Siemens AG" can be seen. Dr. Langenwaller used to be a member of Siemens AG's Patent Department. After Infineon Technologies AG spun off from Siemens AG in 2000 or so, he joined Infineon's Patent Department. Even after Infineon separated from Siemens, there were close organizational ties between the two companies for some time. The two Patent Departments shared rooms, software, and clerks. I know these facts to be true because I was working with Infineon Technologies AG during a transitional period.

6. I received an Order Letter dated November 22, 2002, from Infineon Technologies AG to prepare and file a German patent application. (Exhibit B, attached hereto, including an English translation.) This Order Letter was addressed to my firm, Maikowski & Ninnemann Patent Attorneys. The Invention Report, which is discussed in paragraph 4 above, was attached.

7. Based on my experience working with Infineon Technologies AG, the time between the Invention Report dated June 26, 2002, and the Order Letter dated November 22, 2002, is a usual amount of time for Infineon's Patent Department to assess the potential of an invention before issuing my firm an Order Letter to prepare and file a German patent application.

8. After receiving the Order Letter, I began preparing a draft of the German patent application. I forwarded the draft application to Axel Schubert, one of the inventors of the '423 application, along with a letter dated February 17, 2003. (Exhibit C, attached hereto, including an English translation.)

9. After discussing the invention with the inventors, I filed the German priority patent application on February 27, 2003, as evidenced by Exhibit D, a verified translation of the German priority application from which the '423 application claims benefit under Section 119.

10. The '423 Application was filed within one year of the German priority application, in accordance with the Paris Convention requirements.

11. These documents show that the invention was conceived prior to October 4, 2002. A national filing in Germany based on the above-mentioned disclosure was effected on February 27, 2004, as evidenced by Exhibit D, a verified translation of the priority application from which the '423 application claims benefit under Section 119. The preparation of the present application covering the Claimed Invention was diligently pursued from prior to October 4, 2002, to the date of filing in Germany on February 27, 2003.

12. The attached Exhibits are photocopies of original evidence of conception and reduction to practice of the Claimed Invention.

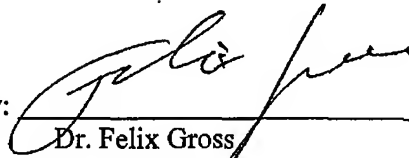
All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

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Declaration of Dr. Felix Gross

Docket No.: M0659.0002

under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the above-identified patent.

Date: September 18, 2007

By:   
Dr. Felix Gross